

State of California, State Water Resources Control Board

Division of Water Rights

P.O. Box 2000, Sacramento, CA 95812-2000

Info: (916) 341-5300, FAX: (916) 341-5400 Web: <http://www.waterrights.ca.gov>

S002311

2006, 2007, 2008

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE FORM

Owner(s) of Record:

CHARLES D MILLER
MILLER FAMILY TRUST
BRUCE B. MILLER
D. CRAIG MILLER CO-TRUSTEES

Notifying the Division of Water Rights of ownership or address changes is the responsibility of the claimant

Please Complete and Return This Form by JULY 1, 2009

Primary Contact:

CHARLES D MILLER
PO BOX 990067
REDDING, CA 96001

Agent:

Address:

Phone No. 916-243-4142

Fax No. 530-474-3021

E-mail Address:

BRUCE B. MILLER
P.O. BOX 135
SHINGLETOWN, CA 96088
530-474-3021
TEICHERT51@YAHOO.COM

Phone No.

Fax No.

E-mail Address:

Source Name: NORTH FORK BATTLE CREEK

Tributary To:

County: Shasta

Diversion within: NW 1/4 of NE 1/4 Section 30, T 31 N, R 2 E, MDB&M

Year of First Use: 1880

Name of Diversion works:

Assessor Parcel Number
of the Diversion site:

STATE WATER RESOURCES
CONTROL BOARD
DIV OF WATER RIGHTS
SACRAMENTO
2009 JUL -2 AM 10:34

A. **Water is Used Under:** Riparian claim ☐ Pre-1914 claim ☒ Court Decree No.: Other (explain):

B. **Year of First Use:** (Please provide if missing in the Division of Rights database (ewrims)) 1880

C. **Rate of Diversion:** The rate of diversion of water for each month used and entered in the table below is shown in units of:
Gallons per minute (gpm) Gallons per day (gpd) 1,944,000 Cubic feet per second (cfs) 3

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Average Rate
2006				✓	✓	✓	✓	✓	✓	✓			mm
2007				✓	✓	✓	✓	✓	✓	✓			mm
2008				✓	✓	✓	✓	✓	✓	✓			mm

D. **Quantity of Water Used:** The quantity of water used each month and entered in the table below is shown in units of:
Gallons Million Gallons (MG) 58,320,000 Acre-feet (AF) 17.897750

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Annual
2006				✓	✓	✓	✓	✓	✓	✓			125,284 AF
2007				✓	✓	✓	✓	✓	✓	✓			125,284 AF
2008				✓	✓	✓	✓	✓	✓	✓			125,284 AF

E. **Purpose of Use** – Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation 350 AC. ± acres; Stockwatering 300 ±; Domestic ;
Other (specify)

Parcel Number(s) of Place of Use: 094500 069000, 094500 085000, 094500 086000, 094500 096000
095150 002000, 095150 010000, 704280 013000

F. **Changes in Method of Diversion** – Describe any changes in your project since your previous statement was filed.
(New pump, enlarged diversion dam, location of diversion, etc.) N/A

G. Please answer only those questions below which are applicable to your project.

1. Conservation of water

a. Are you now employing water conservation efforts? YES ☐ NO ☐
Describe any water conservation efforts you have initiated:

b. If you are claiming credit for water conservation under section 1011 of the Water Code for your claimed pre-1914 appropriative right, please show the amount of water conserved:

Reduction in Diversions:

Year (AF/MG) Year (AF/MG) Year (AF/MG)

EWRTmslcm
10/5/09

Reduction in consumptive use:

Year _____ (AF/MG) Year _____ (AF/MG) Year _____ (AF/MG)

I have data to support the above surface water use reductions due to conservation efforts. YES _____ NO _____

2. Water quality and wastewater reclamation

- a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree which unreasonably affects such water for other beneficial uses? YES _____ NO ☒
- b. If you are claiming credit due to the substitution of reclaimed water, desalinated water or polluted water in lieu of a claimed pre-1914 appropriative right under section 1010 of the Water Code, please show amounts of reduced diversions and amounts of substitute water supply used:

Amount of reduced diversion:

Year _____ (AF/MG) Year _____ (AF/MG) Year _____ (AF/MG)

State the type of substitute water supply: _____

Amount of substitute water supply used:

Year _____ (AF/MG) Year _____ (AF/MG) Year _____ (AF/MG)

I have data to support the above surface water use reductions due to the use of a substitute water supply. YES _____ NO _____

3. Conjunctive use of surface water and groundwater

- a. Are you now using groundwater in lieu of surface water? YES _____ NO ☒
- b. If you are claiming credit due to the substitution of groundwater for a claimed pre-1914 appropriative right under section 1011.5 of the Water Code, please show the amounts of groundwater used:

Year _____ (AF/MG) Year _____ (AF/MG) Year _____ (AF/MG)

I have data to support the above surface water use reductions due to the use of groundwater. YES _____ NO _____

I understand that it may be necessary to document the water savings claimed in "F" above if credit under Water Code sections 1010 and 1011 is sought in the future.

I declare that the information in this report is true to the best of my knowledge and belief.

DATE: 6-25, 2009 at SHINGLETOWN, California

SIGNATURE: Bruce B. Miller

PRINTED NAME: BRUCE B. MILLER
(first name) (middle initial) (last name)

COMPANY NAME: MILLER FAMILY TRUST

ITEM _____ If there is insufficient space for your answers, please use the space provided below or add an attachment sheet.
CONTINUATION

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or to divert water which originates in a different watershed, water previously stored by others, return flows from use of groundwater, or other "foreign" water to the natural stream system.

An appropriative right is required for use of water on non-riparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. After the formation of the California Water Commission back on December 19, 1914, new appropriators have been required to obtain a permit and license from the State. Appropriative rights can be granted to waters "foreign" to the natural stream system.

Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users as set forth in Water Code section 5100 with specific exceptions. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversions, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include: (1) Statements of Water Diversion and Use, (2) Information Pertaining to Water Rights in California, and (3) Appropriation of Water in California.

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

If the information below is inaccurate, please line it out in red and provide current information.
Notify this office if ownership or address changes occur during the coming year.

PLEASE COMPLETE AND RETURN THIS FORM BY JULY 1, 2000

OWNER OF RECORD: CHARLES D MILLER

CHARLES D MILLER
~~1805 SHASTA ST~~
REDDING, CA 96001

PO BOX 990067

STATEMENT NO: S002311



SOURCE: NORTH FORK BATTLE CREEK
TRIBUTARY TO: BATTLE CREEK
COUNTY: SHASTA
DIVERSION

WITHIN: NW¼ OF NE¼ SECTION 30, T31N, R2E, MB&M.

TELEPHONE NUMBER:
(916) 243-4142
YEAR OF FIRST USE: 1880
PARCEL NO:

- A. Water is used under: Riparian claim _____ Pre 1914 right ✓ Other (explain): _____
- B. Year of first use (Please provide if missing above) _____
- C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are:													Total Annual
Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	
1997				✓	✓	✓	✓	✓	✓	✓			
1998				✓	✓	✓	✓	✓	✓	✓			
1999				✓	✓	✓	✓	✓	✓	✓			

- D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.
Irrigation 4-375 acres; Stockwatering 4-300; Domestic N/A;
Other (specify) -0-
- E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.) N/A

- F. Please answer only those questions below which are applicable to your project.

1. Conservation of water

- a. Are you now employing water conservation efforts? YES ___ NO ___
Describe any water conservation efforts you have initiated: _____

- b. If credit toward beneficial use of water under claimed pre 1914 appropriative water right for water not used due to a conservation effort is claimed under section 1011 of the Water Code, please show the amounts of water conserved:

Reductions in Diversions:

19 _____ (af/mg) 19 _____ (af/mg) 19 _____ (af/mg)

Reductions in consumptive use:

19 _____ (af/mg) 19 _____ (af/mg) 19 _____ (af/mg)

I have data to support the above surface water use reductions due to conservation efforts. YES ___ NO ___

2000

2. Water quality and wastewater reclamation

- a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree which unreasonably affects such water for other beneficial uses? YES _____ NO _____.
- b. If credit toward use under a claimed pre 1914 appropriative water right through substitution of reclaimed water, desalinated water or polluted water in lieu of appropriated water is claimed under section 1010 of the Water Code, please show amounts of reduced diversions and amounts of reclaimed water used:

19 _____ (af/mg) 19 _____ (af/mg) 19 _____ (af/mg)
I have data to support the above surface water use reductions due to wastewater reclamation. YES _____ NO _____

3. Conjunctive use of surface water and groundwater

- a. Are you now using groundwater in lieu of surface water? YES _____ NO _____.
- b. If credit toward use under a claimed pre 1914 appropriative right through substitution of groundwater in lieu of appropriated water is claimed under section 1011.5 of the Water Code, please show the amounts of groundwater used:

19 _____ (af/mg) 19 _____ (af/mg) 19 _____ (af/mg)
I have data to support the above surface water use reductions due to conjunctive use efforts. YES _____ NO _____

I understand that it may be necessary to document the water savings claimed in "F." above if credit under Water Code sections 1010 and 1011 is sought in the future.

* Information provided by Dr. Charles D. Miller.
I declare that the information in this report is true to the best of my knowledge and belief.

DATE: June 28, 2000 at Sacramento, California

SIGNATURE: Beverly N. McFarland, Chapter 11 Trustee

PRINTED NAME: BEVERLY N. McFARLAND
(first name) (middle init.) (last name)

COMPANY NAME: CHAPTER 11 TRUSTEE (916) 448-0847

If there is insufficient space for your answers, please use the space provided below.

ITEM CONTINUATION

In the bankruptcy estate of Dr. Charles
D. Miller & Helene P. Miller (deceased)
(see adu attached)

NOTE:

DO NOT CHANGE NAME OF OWNER ON
FORM - USE POBOX INDICATED ON FRONT.

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An appropriative right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914, new appropriators have been required to obtain a permit and license from the State. Appropriate rights can be granted to waters "foreign" to the natural stream system.

Statements of Water Diversion and Use must be filed by riparian and pre 1914 appropriative water users as set forth in Water Code section 5100 with specific exceptions. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversions, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include: (1) Statements of Water Diversion and Use, (2) Information Pertaining to Water Rights in California, and (3) Appropriation of Water in California.

STATE OF CALIFORNIA
THE RESOURCES AGENCY
STATE WATER RIGHTS BOARD

STATEMENT OF WATER DIVERSION AND USE

S 2311

This statement should be typewritten or legibly written in ink.

- A. Name of person diverting water CD MILLER, MD.
Address 2625 EDITH AVE. REDDING,
B. Name of body of water at point of diversion NO FR BATTLE CREEK
Tributary to BATTLE CREEK
C. Place of diversion NW 1/4 N. 1/4 Section 30, Township 31 N, Range 2 E, MD 2011,
SHASTA County, or locate it on sketch of section grid on reverse side with regard to section lines or prominent local landmarks.

- D. Name of works SMITH DITCH
E. Capacity of diversion works 1491 MI (OUR SHARE IS 130 MI)
Capacity of storage reservoir _____
State quantity of water used each month in gallons or acre-feet

Year	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
:	:	:	:	:	:	:	:	:	:	:	:	:	:

If monthly and annual use are not known, check months in which water was used. State extent of use in units, such as acres of each crop irrigated, average number of persons served, number of stock watered, etc. 80 A

IRR. PASTURE + STOCK WATER

Maximum annual water use in recent years 640

Minimum annual water use in recent years _____

Type of diversion facility: gravity ☒, pump _____

Method of measurement: weir _____, flume _____, electric power meter _____, water meter _____, estimate ☒

- F. Purpose of use (what water is being used for) IRR. PASTURE + STOCK WATER
SW 1/4 of SEC 25, T 31 N R 1 W, ALB + SEC 36 T 31 N R 1 W MDR + M

- G. General description or location of place of use (use sketch of section grid on reverse side if you desire)
SW 1/4 of SEC 25, T 31 N R 1 W; NW 1/4 of SEC 36 T 31 N R 1 W MDR + M

- H. Year of first use as nearly as known 1880

- I. Name of person filing statement LEO V. TILLMAN
Position FOREMAN Organization HORSESHOE RANCHES
Address 2625 EDITH AVE REDDING, CALIF

I certify that the foregoing statement is true and correct to the best of my knowledge and belief.

Date signed 1-29-67

Signature Leo V. Tillman

See Instructions on Reverse Side

STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

P.O. BOX 2000 SACRAMENTO, CA 95812-2000
(916) 657-1875

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

DIVERTER OF RECORD:

STATEMENT NO: 002311

CHARLES D MILLER MD
1805 SHASTA STREET
REDDING, CA 96001

TELEPHONE NUMBER:
(916) 243-4142

IF NAME/ADDRESS/PHONE NO. IS WRONG OR MISSING, PLEASE CORRECT.

SOURCE: NORTH FORK BATTLE CREEK

TRIBUTARY TO: BATTLE CREEK

COUNTY: SHASTA

YEAR OF FIRST USE: 1880

DIVERSION

WITHIN: NW1/4 OF NE1/4 SECTION 30, T31N, R02E, MDB&M.

COMPLETE AND RETURN THIS FORM BY JULY 1, 1994.

A. Water is used under: Riparian claim _____; Pre 1914 right ☒; Other (explain) _____

B. Year of first use (Please provide if missing above) _____.

C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: ☐ Gallons ☐ Acre-feet ☐ (other) _____

	JAN.	FEB.	MAR.	APR.	MAY	JUNE	JULY	AUG.	SEPT.	OCT.	NOV.	DEC.	TOTAL ANNUAL
1991				✓	✓	✓	✓	✓	✓	✓			
1992				✓	✓	✓	✓	✓	✓	✓			
1993				✓	✓	✓	✓	✓	✓	✓			

D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.
Irrigation 375 acres; Stockwatering 200; Domestic NA
Other (specify) 8

E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)
NA

F. If part of the water listed in Part C consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.
NA

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: 6/20, 19 94, at REDDING, California

Signature: C. D. Miller MD

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"Statements of Water Diversion and Use"

"Information Pertaining to Water Rights in California"

"Water Rights for Stockponds Constructed Prior to 1969"

"Appropriation of Water in California"